

## CHAPTER 133

## TRANSPORTATION OF PUPILS

H. F. 118

AN ACT to provide for reimbursement by the state of Iowa to school districts of pupil transportation costs, providing the manner of computing the amount of reimbursement and making an appropriation for said reimbursements.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Every school district required by law to furnish free  
2 transportation to pupils shall be reimbursed by the state for trans-  
3 portation costs incurred in the amount and manner as provided in  
4 this act.

1 SEC. 2. Reimbursement shall be for the school year preceding that  
2 in which it is made on the basis of eighteen dollars (\$18.00) per pupil  
3 per annum in a district (1) transporting an average of 125 pupils  
4 per day, (2) its vehicles traveling 160 miles per pupil per year, and  
5 (3) having a road condition index of 1.40. To determine the amount  
6 of reimbursement to which any district shall be entitled and shall  
7 receive, adjustments from the foregoing standard shall be made and  
8 the amount determined in the following manner, to-wit:

9 1. Adjustments for number of pupils transported:

10 (a) An increase of two cents for each reduction of one in the  
11 average number of pupils transported below 125, until \$18.50 is reached  
12 for each of 100 pupils.

13 (b) An increase of four cents for each reduction of one pupil in  
14 the average number of pupils transported below 100, until \$18.50 has  
15 increased to \$19.50 for each 75 pupils.

16 (c) An increase of six cents for each reduction of one in the aver-  
17 age number of pupils transported below 75, until \$19.50 has increased  
18 to \$21.00 for each 50 pupils, or less.

19 (d) A decrease of two cents for each addition of one in the average  
20 number of pupils transported above 125, until \$17.00 is reached for  
21 each of 175 pupils.

22 (e) A decrease of one cent for each addition of one in the average  
23 number of pupils transported above 175, until \$16.50 is reached for  
24 each of 225 or more pupils.

25 2. Adjustments for mileage:

26 (a) An increase of the base of \$18.00 by three cents per year for  
27 each mile of vehicular travel in excess of 160 miles per pupil per year.

28 (b) A decrease of the base of \$18.00 by three cents per year for  
29 each mile of vehicular travel less than 160 miles per pupil per year.

30 .3. Adjustment for road conditions:

31 An increase or decrease, as the case may be, of the base rate of  
32 \$18.00 by the percentage by which the road condition index is greater  
33 or less than 1.40.

34 The road condition index for any district shall be obtained by (a)  
35 multiplying the miles of hard surfaced (including black top), gravel,  
36 and unsurfaced roads over which the school busses travel by 1.00,  
37 1.39 and 1.55 respectively; (b) adding the amounts thus obtained,  
38 and (c) dividing by the total bus mileage.

39 The three computations provided for in the paragraphs numbered  
40 1, 2 and 3, immediately preceding, shall be added together and divided

41 by three and the amount so obtained shall be the amount to be paid  
42 to the district per pupil transported, by way of reimbursement; pro-  
43 vided that in no event shall any district be reimbursed in any amount  
44 in excess of the actual cost per pupil per year.

1 SEC. 3. The secretary of each district entitled to transportation  
2 aid shall, on or before the first day of July of each year, report to the  
3 state department of public instruction on blanks furnished by the  
4 latter, such information as it may require for determining the amount  
5 the district shall be reimbursed for transportation of pupils. The  
6 state department may require further supporting data and informa-  
7 tion, and from the said reports, data and information it shall deter-  
8 mine and compute the amount to which each district is entitled to  
9 reimbursement, and shall certify same for payment to the state comp-  
10 troller who shall draw warrants upon such certification and cause  
11 same to be delivered to the districts so entitled.

1 SEC. 4. A district sending pupils to another district shall receive  
2 reimbursement for transportation costs as provided for in this act,  
3 for all pupils who are sent to another district, if the sending district  
4 provides the transportation at its expense. The district actually  
5 providing the transportation shall be the district to which state trans-  
6 portation aid should be paid. The district sending tuition pupils  
7 must contract for both transportation and tuition whenever the re-  
8 ceiving district is already engaged in transporting pupils; provided  
9 that the county board of education may permit the sending district  
10 to furnish its own transportation when it can be shown that such  
11 transportation will cost less than that provided by the receiving dis-  
12 trict. When the receiving district furnishes the transportation, it  
13 shall determine the amount to be charged the sending district by add-  
14 ing to the cost of tuition, as provided for in section 4277, Code 1939,  
15 such cost of transportation per pupil from the sending district as may  
16 be in excess of its reimbursement from the state for performance of  
17 such service, and the sending district will not be entitled to any reim-  
18 bursement from the state therefor. If the amount of reimbursement  
19 from the state for such service covers its full costs for the service then  
20 the receiving district shall charge the sending district nothing for  
21 transportation.

1 SEC. 5. For the purpose of furnishing school facilities to students  
2 eligible to attend high school, who are residents of rural independent  
3 districts, or school townships which do or do not maintain approved  
4 public high schools, or other school districts not maintaining ap-  
5 proved public high schools, the local boards of such districts shall  
6 provide either transportation to and from school or the cost of such  
7 transportation not to exceed twenty-three (23.00) dollars per pupil  
8 per year for such children who live more than two miles from the  
9 high school designated by the board for them to attend. The cost for  
10 such transportation, including any reimbursement from state funds,  
11 not exceeding twenty-three (23.00) dollars per pupil per school year,  
12 shall be paid from the general fund of school corporation of the pupil's  
13 residence. The local board shall, subject to the approval of the county  
14 board of education and state board of public instruction, designate  
15 the public high school to which transportation will be provided. Any  
16 student wishing to attend a high school other than the one so desig-

17 nated may do so, but transportation shall not be provided for such  
18 pupils.

1 SEC. 6. The state department of public instruction shall appoint a  
2 director of transportation and such other assistants as it may find  
3 necessary to carry out the powers and duties of the board and depart-  
4 ment under this act. The appropriation provided by this Act may  
5 be expended in part for the direction and supervision provided by  
6 the Act which shall include salaries and all necessary traveling expense  
7 incurred by the director and his assistants in the performance of their  
8 official duties.

1 SEC. 7. Regulatory powers and duties necessary to assure the state  
2 that its transportation moneys will be spent with the best results will  
3 be shared by the state department of public instruction, county boards  
4 of education and boards of education of the local school districts.

1 SEC. 8. The powers and duties of the state department shall be to:  
2 (1) Exercise general supervision over the school transportation  
3 system in the state.

4 (2) Review and approve bus routes which, when established, are  
5 located in more than one county.

6 (3) Establish uniform standards for locating and operating bus  
7 routes and for the protection of the health and safety of pupils trans-  
8 ported.

9 (4) Issue temporary certificates for operation of school busses  
10 which do not conform to the established requirements of the depart-  
11 ment, provided that such busses can be operated with safety, and  
12 provided further that no such certificate shall be issued for a period  
13 in excess of one year and may not be renewed.

14 (5) Aid in the enforcement of the motor vehicle laws relating to  
15 the transportation of school children.

1 SEC. 9. The powers and duties of the respective county boards of  
2 education shall be to:

3 (1) Enforce all laws and all rules and regulations of the state  
4 department of public instruction relating to transportation.

5 (2) Approve all bus routes of school districts within the county,  
6 except bus routes in city, town or village independent districts and  
7 consolidated school districts, and review and approve arrangements  
8 between school districts for transportation from one district to an-  
9 other district within the county.

1 SEC. 10. The powers and duties of the local school boards shall be to:

2 (1) Provide transportation for each pupil who attends public  
3 school, and who is entitled to transportation under the laws of this  
4 state.

5 (2) Establish, maintain and operate bus routes for the transpor-  
6 tation of pupils so as to provide for the economical and efficient opera-  
7 tion thereof without duplication of facilities, and to properly safe-  
8 guard the health and safety of the pupils transported.

9 (3) Purchase or lease busses and other transportation facilities,  
10 and maintain same, and to enter into contracts for transportation  
11 subject to any provisions of law affecting same.

12 (4) Employ such drivers and other employees as may be necessary  
13 and prescribe their qualifications and adopt rules for their conduct.

14 (5) Exercise any and all powers and duties relating to transpor-  
15 tation of pupils enjoined upon them by law.

1 SEC. 11. The establishment and operation of bus routes and the  
2 contracting for transportation shall be based upon the following con-  
3 siderations:

4 (1) Each bus route shall be planned and adjusted to utilize the  
5 normal seating capacity of each bus in so far as it is possible to do so.

6 (2) Each bus route shall serve regularly only pupils whose homes  
7 are beyond the statutory walking distance to the nearest appropriate  
8 school.

9 (3) Each bus route shall serve only those pupils living in those  
10 areas where transportation by bus is the most economical method for  
11 providing adequate transportation facilities.

12 (4) A route shall not be extended for the purpose of accommodat-  
13 ing pupils whose homes are nearer another bus route.

14 (5) Special contracts for transportation of pupils entitled to trans-  
15 portation shall be entered into only when it is more economical to  
16 make such special provision than to provide same by regular bus  
17 route, or when by reason of physical or mental handicap of the pupil  
18 such pupil cannot be transported with safety by bus.

1 SEC. 12. In the event of disagreement between a school patron and  
2 the board of a school district, the patron if dissatisfied with the deci-  
3 sion of the district board, may appeal same to the county board of  
4 education by notifying the secretary of the district in writing within  
5 ten days of the decision of the board, in which case it shall be the  
6 duty of the secretary of the local board to certify all papers to the  
7 county board of education which shall hear same within ten days of  
8 the receipt of the papers and decide same within three days of the  
9 conclusion of the hearing. Either party may appeal the decision of  
10 the county board to the state superintendent of public instruction by  
11 notifying the opposite party and the county superintendent in writing  
12 within five days of the decision of the county board, in which case the  
13 county superintendent shall within ten days from said notice, file  
14 with the state superintendent of public instruction all records and  
15 papers pertaining to the case. The state superintendent of public  
16 instruction shall hear the appeal within 15 days of the filing of the  
17 records and papers in his office, notifying all parties and the county  
18 superintendent of the time, and shall forthwith decide the same, and  
19 his decision shall be subject to appeal to the district court. The state  
20 superintendent of public instruction shall notify all parties of his  
21 decision and return all papers with a copy of the decision to the county  
22 superintendent.

1 SEC. 13. In the event of a disagreement between the board of a  
2 school district and the county board of education, the board of the  
3 school district may appeal to the state superintendent of public instruc-  
4 tion, and the procedure and times provided for in the last preceding  
5 section shall prevail in any such case.

1 SEC. 14. Any person who operates or permits to be operated as a  
2 school bus to transport pupils, any vehicle which does not comply

3 with the requirements provided by law or by the rules and regulations  
4 of the state department of public instruction, or for which there is  
5 not a valid temporary certificate for operation, shall be punished by  
6 a fine of not to exceed one hundred dollars (\$100.00) or by imprison-  
7 ment in the county jail not to exceed thirty (30) days.

1 SEC. 15. The failure of any local district to comply with the pro-  
2 visions of this act or any other laws relating to the transportation of  
3 pupils, or any rules or regulations made by the state department of  
4 public instruction under this act or the final decisions of the county  
5 board of education, or the final decisions of the state department of  
6 public instruction shall cause such district to forfeit any rights to  
7 reimbursement for any transportation costs incurred during the period  
8 such failure to comply existed.

1 SEC. 16. There is hereby appropriated from the general fund of  
2 the state of Iowa, for each year of the biennium beginning July 1, 1945  
3 and ending June 30, 1947, the sum of two million dollars (\$2,000,-  
4 000.00) or so much thereof as is earned according to the schedules  
5 herein provided, and in case said sum is not sufficient to pay allow-  
6 ances in full, then in that event it shall be prorated to the several  
7 school districts according to the amounts earned as herein provided.  
8 There is hereby transferred to the general fund of the state of Iowa,  
9 for each year of the biennium beginning July 1, 1945 and ending June  
10 30, 1947, the sum of two million dollars (\$2,000,000.00) from the In-  
11 come, Corporation and Sales Tax fund collected under the provisions  
12 of Chapter three hundred twenty-nine and three-tenths (329.3), Code,  
13 1939.

1 SEC. 17. In the event the provisions of any statute are inconsistent  
2 with any of the provisions of this act, the provisions of this act shall  
3 prevail.

Approved April 20, 1945.

## CHAPTER 134

### STATE AID TO SCHOOL DISTRICTS

S. F. 388

AN ACT to provide for the use of state funds to supplement funds of school districts in support of education relating to state aid to schools; and providing for an appropriation for such aid and the expenses of administering same.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. For the purpose of equalizing educational opportunity  
2 in the school districts throughout the state, the several school dis-  
3 tricts in the state of Iowa shall be entitled to and receive financial aid  
4 from the state in the manner and amount as provided in this act.  
5 The aid provided for in this act is supplementary aid. Supplemen-  
6 tary aid is that aid which is available to districts which qualify under  
7 the provisions of this act.